

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

)
JOSE SANCHEZ RAMOS,)
Plaintiff,)
)
v.) Civ. No. 1:17-cv-924
)
BAWADI, INC., et al.,)
Defendants.)
)

ORDER

THESE MATTERS come before the Court on Plaintiff's Motion for Default Judgment (Dkt. 8) and Defendants' Motion to Vacate Default Judgments Pursuant to Rule 55(c) (Dkt. 13).¹ The Fourth Circuit has long recognized that "the interests of justice are best served by a trial on the merits." Tolson v. Hodge, 411 F.2d 123, 130 (4th Cir. 1969) (quoting Tozer v. Charles A. Krause Milling Co., 189 F.2d 242, 245 (3d Cir. 1951)). As such, "[a]ny doubts about whether relief should be granted should be resolved in favor of setting aside the default so that the case may be heard on the merits." Id. Upon review of the pleadings, the Court finds good cause exists to set aside default, and there is no prejudice to Plaintiff at this point. Therefore, it is hereby

1. Defendants' Motion to Vacate Default Judgments Pursuant to Rule 55(c) (Dkt. 13) should be stated as asking to vacate the entries of default, not default judgments. No default judgment has been entered by the Court. Instead, the Clerk of the Court has entered default of Defendants. Throughout their motion, Defendants even sometimes state their requested relief as vacating the entries of default. Therefore, despite its title, the Court will consider the motion to request the vacating of Defendants' entries of default.

ORDERED that Plaintiff's Motion for Default Judgment (Dkt. 8) is DENIED and Defendants' Motion to Vacate Default Judgments Pursuant to Rule 55(c) (Dkt. 13) is GRANTED.

ENTERED this 29th day of November, 2017.

/s/
Theresa Carroll Buchanan
United States Magistrate Judge

THERESA CARROLL BUCHANAN
UNITED STATES MAGISTRATE JUDGE

Alexandria, Virginia